

**Town of Ashburnham  
Policy Statement**

POLICY NAME:	<b>Disposition Surplus Materials</b>	POLICY NUMBER:	<b>001</b>
APPROVAL AUTHORITY:	<b>BOS/TA</b>	APPLIES TO:	<b>All Town Departments/Boards</b>
ADOPTED:	<b>06/05/2017</b>	REVISED:	<b>08/07/2017</b>
		REVIEWED:	--

**1.0 Policy Statement**

From time-to-time, the Town of Ashburnham finds it necessary to dispose of materials, equipment, etc. that are no longer needed or useful. The following policy outlines the process to be followed in the disposition of surplus items. It is the intent of this procedure to require the establishment of reasonable control over usage, surplus and obsolete material generation, handling, sale and disposal. This policy/procedure applies to all items having a resale or salvage value regardless of dollar amount.

**2.0 Reason for the Policy**

This policy is issued to comply with Massachusetts General Laws c. 30B §15F—requiring municipalities to have a Disposal Surplus Policy in place.

**3.0 Scope of Policy**

Massachusetts General Laws c.30B, §15 provides for a governmental body to dispose of a tangible supply, no longer useful to the governmental body but having a resale or salvage value. These rules apply to all tangible surplus supplies with a resale or salvage value including motor vehicles, machinery, computer equipment, furniture, and other materials and items.

This policy/procedure shall not apply to the disposition of old books, magazines, periodicals, recordings, and printed materials in the custody of the Ashburnham Public Library. Such disposition shall be made at the discretion of the Ashburnham Library Board of Trustees.

Items that will be used as “trade-ins” to reduce the cost of a new purchase shall comply with section 7.1 of this policy only.

**4.0 Who does this policy apply to?**

All Town Departments, Boards, Committees, and Commissions looking to declare items surplus and/or dispose of materials.

**5.0 Who is responsible for enforcing this policy?**

This policy/procedure shall be implemented through the Purchasing Agent.

**6.0 Definitions**

Purchasing Agent: shall be synonymous with Town Administrator.

Tangible Surplus Items: includes, but is not limited to: office furniture, computers, file cabinets, work stations, student desks, office machines, kitchen equipment, building maintenance equipment, recreation equipment and vehicles.

Trade-In's: shall include items that will be declared surplus and used to reduce the cost/offset the price of a new purchase; ie: vehicles, older equipment, etc.

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### **7.0 Policy**

#### **7.1 Designation and Approval of Surplus Items**

- 7.1.1** No “tangible surplus items” owned by the Town of Ashburnham shall be sold or otherwise disposed of except upon the written recommendation of the Department Head to the Purchasing Agent (*see Attachment 8.1*). The written recommendation shall include a specific description (as possible) of the item(s) to be disposed of including relevant make, model number, serial number, vehicle identification number, etc. Description shall also include any known defects or problems with item. The written recommendation is also to include justification/reason for the request. If the tangible item is considered a fixed asset, the fixed asset form should accompany the request. Any pictures of the item shall also be included.
- 7.1.2** The Purchasing Agent shall review the written recommendation and make an initial determination of its merits.
- 7.1.3** Upon the Purchasing Agent’s approval, the written recommendations will be disposed of in accordance with M.G.L. c.30B, §15(b) via sealed bids or public auction or by any other means statutorily allowed.
- 7.1.4** Tangible surplus items taken into possession by the Ashburnham Police Department through statutory procedures i.e. drug, criminal and civil forfeitures pursuant to M.G.L. c.94C and 18 U.S.C. §§981-87 will be disposed of pursuant to state and federal laws respectively.
- 7.1.5** Unclaimed property taken into possession by the Ashburnham Police Department must be auctioned pursuant to M.G.L. c.135, §8.

#### **7.2 Disposal of Surplus Items**

- 7.2.1** Tangible surplus items with an estimated value of under \$10,000, the Purchasing Agent may advertise the sale of the items on the Town’s website and/or local newspaper or seek informal quotes.
- 7.2.2** Tangible surplus items with an estimated value of over \$10,000, the Purchasing Agent shall dispose of the items in one of the following ways and pursuant to state and federal laws as applicable:
  - A Sealed bids
  - B Public auction

#### **7.3 Method and Rule of Sale**

- 7.3.1** The sale of all surplus items shall be conducted by offer on the Town’s website, sealed bid or public auction, depending on resale or salvage value.
- 7.3.2** All sealed bids shall be opened in public at the designated place, date, and time.
- 7.3.3** Any bid that is not responsive or does not conform to the terms and conditions set forth in the notice of sale shall be rejected. Such determination shall be made by the Purchasing Agent.
- 7.3.4** The surplus item will be awarded to the responsive bidder offering the highest price in conformity with all the terms and conditions outlined in the notice of sale.
- 7.3.5** The acceptance or rejection of any bid will be reviewed by the Purchasing Agent.

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- 7.3.6** All payments shall be by money order or certified bank check payable to the Town of Ashburnham. Personal and/or company (business) checks will not be accepted.
- 7.3.7** Upon the successful bidder taking possession of the item, the transaction shall be recorded in the form of a written receipt for the payment and the purchaser shall sign a written acknowledgement of receipt of the item.
- 7.3.8** The Purchasing Agent will solely be responsible for signing any “Bill of Sale” or “Registry Title” prior to a successful bidder taking possession of the respective item after confirmation of payment.

**7.4 Alternative Methods for Sale or Disposal of Surplus Items**

**7.4.1 Online Auctions**

**7.4.1.1** At the Purchasing Agent’s discretion, surplus items may be disposed of using an online auction service. Online auction services must be procured in accordance with M.G.L. c.30B requirements.

**7.4.1.2** The online auction process shall comply with all of the advertisement requirements outlined above. The advertisement should reference the auction website and state the opening and closing dates of the auction as well as any keyword or auction number that could be used to locate the item on the website.

**7.4.1.3** Sufficient information and photographs should be provided on the website to allow for inspection of the surplus item.

**7.4.1.4** The online auction posting shall clearly state that the seller is the Town of Ashburnham and must stipulate all payment terms and sale processes.

**8.0 Attachments**

**8.1 Surplus Disposition Request.** To be completed and signed by department head and approved by Purchasing Agent.

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**Surplus Disposition Request**

**Department:** \_\_\_\_\_ **Date of Request:** \_\_\_\_\_

**Item to be disposed of:** \_\_\_\_\_

**Reason for Request:** \_\_\_\_\_

**Estimated Value of Item:** \_\_\_\_\_

**Method of Disposition:**      Under \$10,000      Over \$10,000

- |   |   |
|---|---|
| <input type="checkbox"/> Advertise Newspaper<br><input type="checkbox"/> Advertise Website<br><input type="checkbox"/> Seek Informal Quotes | <input type="checkbox"/> Sealed Bids<br><input type="checkbox"/> Public Auction |
|---|---|

**Description of Item:**

- ☐ See Attached Fixed Asset Sheet  
☐ Description is as follows:  
    o Make/Model/Serial #: \_\_\_\_\_

**Disposition Request**

\_\_\_\_\_  
*Department Head Signature*      *Date*

**Disposition Approval**

\_\_\_\_\_  
*Purchasing Agent Signature*      *Date*

**Purchasing Agent Use ONLY**

Method Used: _____	Date(s) Advertised: _____
Other Info: _____	_____
Sold to: _____	Amount sold for: _____
Date disposed of: _____	Receipt attached. _____